

NOV 26 2004
REQUEST
FOR
CONTINUED EXAMINATION (RCE)
Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
Provides for continued examination of a utility or plant
Application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 10/040,944
Filing Date: January 9, 2002
First Named Inventor: Vito James Carlucci
Group Art Unit: 3728
Examiner Name: Jimmy G. Foster
Attorney Docket Number: 884.0051USU
CUSTOMER NO.: 27623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

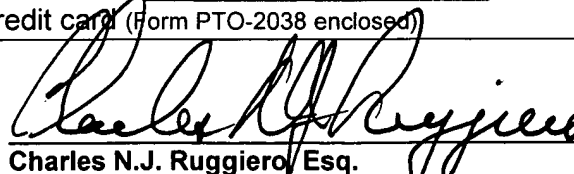
1. Submission required under 37 C.F.R. § 1.114
a. Previously submitted
i. Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).
ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
iii. Other _____
b. XXXXX Enclosed
i. XXXXX Amendment/Reply
ii. Affidavit(s)/Declaration(s)
iii. Information Disclosure Statement (IDS) and PTO-1449
iv. XXXXX Other Amendment Transmittal

2. Miscellaneous
a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
b. Other _____

3. Fees The RCE fee Under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
a. XXXXX The Director is hereby authorized to charge the amount of **\$1466.00** for the following fees, or credit any overpayments to Deposit Account No. **50-1239**.
i. XXXXX RCE fee (\$790.00) required under 37 C.F.R. § 1.17(e)
ii. XXXXX Two Month Extension of Time fee (\$430.00) (37 C.F.R. §§ 1.136 and 1.17)
iii. XXXXX Other \$266.00 for claim changes
b. Check in the amount of \$ _____ enclosed
c. Payment by credit card (Form PTO-2038 enclosed)

November 22, 2004
Date of Signature

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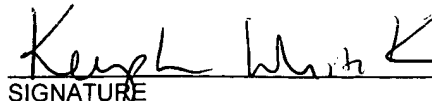

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 22, 2004.

Keysha Whitaker
NAME


SIGNATURE

11/22/04
DATE